09-02-02

Please type a plus sign (+) inside this box [+]

PTO/SB/05 (2/98)

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for nonprovisional applications under 37 CFR § 1 53(b))

Attorney Docket No.	VIGN1340
First Inventor or Application Identifier	David Thomas, et al.
Title	System and Method for the Synchronization of a File in a Cache
Express Mail Label No	EL911433276US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231

1. [X] Fee Transmittal for FY 2002 *(Submit an original and a duplicate for fee processing)*
2. [X] Specification [Total Pages] 28 *(preferred arrangement set forth below)*
 - X - Descriptive Title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Description of Related Art
 - Field of the Invention
 - X - Summary of the Invention
 - X - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - X - Claim(s)
 - X - Abstract of the Disclosure
3. [X] Drawing(s) *(35 USC 113)* [Total Sheets] 2
4. [X] Oath or Declaration (executed) 2
 [Total Pages]
 a. [X] Newly executed (original or copy)
 b. [] Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional with Box 17 completed)*
 i. [] DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
5. [] Incorporation By Reference *(useable if box 4b is checked)*. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. [] Microfiche Computer Program *(Appendix)*
7. Nucleotide and Amino Acid Sequence Submission *(if applicable, all necessary)*
 a. [] Computer-Readable Copy
 b. [] Paper Copy (identical to computer copy)
 c. [] Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. [] Assignment Papers (cover sheet & document(s))
9. [] 37 CFR 3 73(b) Statement *(when there is an assignee)* [X] Power of Attorney (executed)
10. [] English Translation Document *(if applicable)*
11. [] Information Disclosure Statement (IDS)/PTO-1449 [] Copies of IDS Citations
12. [] Preliminary Amendment
13. [X] Return Receipt Postcard
14. [] Small Entity [] Statement filed in prior application, Status still proper and desired
15. [] Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. [X] Other: Certificate of Express Mail; $1238.00 and $40.00 Checks; Non-publication Request

17. **If a CONTINUING APPLICATION,** *check appropriate box and supply the requisite information below and in a preliminary amendment*

[] Continuation [] Divisional [] Continuation-In-Part (CIP) of prior Application No. _____

Prior application information: Examiner _____ Group / Art Unit _____

[] Claims the benefit of Provisional Application No.

CORRESPONDENCE ADDRESS:

Customer Number Label:
Name: **John L. Adair**
Ph: **512-457-7142**
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25094
PATENT TRADEMARK OFFICE

TYPED or PRINTED NAME John L. Adair REGISTRATION NO. 48,828

SIGNATURE _____ Date 12/28/01

Gray Cary\AU\407493 1 1
2101905-991340

PTO/SB/17 (10-01)

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT ($)1278.00

Complete if Known	
Application Number	
Filing Date	**December 28, 2001**
First Named Inventor	**David Thomas, et al.**
Examiner Name	**Unknown**
Group Art Unit	**Unknown**
Attorney Docket No.	**VIGN1340**

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to

Deposit Account Number: **50-0456**

Deposit Account Name: **Gray Cary Ware & Freidenrich LLP**

☒ Charge Any additional Fee Required Under 37 CFR 1 16 and 1 17

☒ Applicant claims small entity status See 37 CFR 1 27

2. ☒ **Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) ($)740.00

2. EXTRA CLAIM FEES

			Extra Claims		Fee from below		Fee Paid
Total Claims	43	-20** =	23	X	18	=	414 00
Independent Claims	4	-3** =	1	X	84	=	84 00
Multiple Dependent				X	0	=	0

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	80	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($)498.00

***or number previously paid, if greater; For Reissues, see above*

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for *ex parte* reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive – unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40 00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) ($)40.00

SUBMITTED BY				Complete *(if applicable)*	
Name (Print/Type)	John L. Adair	*Registration No. (Attorney/Agent)*	48,828	*Telephone*	512-457-7142
Signature				*Date*	12/28/01

Gray Cary\AU\4074927.1
2101905-991340

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:	David Thomas, et al.
Date Filed:	December 28, 2001
Title:	**SYSTEM AND METHOD FOR THE SYNCHRONIZATION OF A FILE IN A CACHE**

BOX PATENT APPLICATIONS
Hon. Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Utility Patent Application Transmittal Form, Utility Patent Application, Fee Transmittal, Executed Declaration and Power of Attorney, Recordation Form Cover Sheet and Executed Assignment, Request for Non-publication, Formal Drawings, Check in the amount of $1238.00 for the Utility Application Filing Fee, Check in the amount of $40.00 for the Assignment Recordation Fee, and Postcard are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 28th day of December 2001, and is addressed to the Commissioner for Patents, ATTN: Box Patent Applications, Washington, D.C. 20231.

Carolyn J. Williams

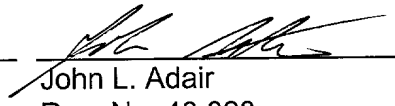
Express Mail Receipt No.:
EL911433276US
Attorney's Docket:
VIGN1340

PTO/SB/35 (11-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	David Thomas, et al.
	Title	SYSTEM AND METHOD FOR THE SYNCHRONIZATION OF A FILE IN A CACHE
	Atty. Docket:	VIGN1340

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 28, 2001
Date



John L. Adair
Reg. No. 48,828

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing.**

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 C.F.R. 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U S.C. 122 and 37 C.F.R. 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.